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March 10, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Patent Application of: JACOB J. THOMAS, et al.
Serial No. 10/702,684
Filed: November 5, 2003
Group Art Unit: 1761

Sir:

Enclosed are the following papers:

1. First Amendment
2. Fee Determination Record form PTO/SB/06; no additional fee is required.
3. Petition for Extension of Time under 37 CFR 1.136(a)
4. Check in the amount of \$60
5. Postcard receipt

Respectfully submitted,

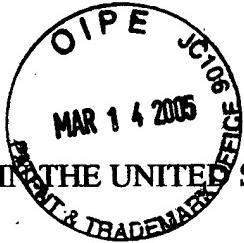
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Enclosures

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: March 10, 2005.

Robert E. Howard
March 10, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Art Unit: 1761
JACOB J. THOMAS, et al.) Examiner: Steven L.
Serial No.: 10/702,684)
Filed: November 5, 2003)
For: TRANSPARENT/TRANSLUCENT)
EDIBLE ICE CREAM CONES)

FIRST AMENDMENT

March 10, 2005

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated November 10, 2004, please amend the above-identified patent application as follows:

IN THE CLAIMS:

Please cancel claims 1-10, 12, 14 and 17.

Please amend claims 11 and 15 and add new claims 18-21 as set forth in Attachment A hereto.

Attachment A contains a complete listing of all the claims.

REMARKS:

A. Cancelled claims:

Claims 1-10, 12, 14 and 17 have been canceled. Therefore rejections applied to these claims will not be discussed.